IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 249 OF 2003

Anandrao @ Anna Gulabrao Mohite..... .....Applicant.
V/s
Shamrao Shivram Babar & Anr..... .....Respondents.

Office Notes, Office Memoranda of Coram, appearances, Court' s orders or directions and Registrar's orders.	))))	Court's or Judge' s Orders

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Mr.H.S.Venegavkar, Adv. for the applicant.

Mr.M.S. Mohite for respondent No.1.

Mrs.P.H. Kantharia, APP for the State.

CORAM:V.G. PALSHIKAR, J.
21.6.2005.

PC:

By this revision application the concurrent orders of Courts below are challenged. The contention is in appropriate appreciation of the issuance of second notice or the first notice by the complainant. The legal position that second cause of action cannot arise is accepted. The learned Appellate Judge has held that the defence having denied everything against the accused by the

complainant it was necessary for defence i.e. The accused to prove that the first notice was factually received by him. That having not been done no case is made out for interference. Revision application is rejected. In the event of amount already having been deposited the applicant be released. The punishment be reduced to already undergone. If the amount is not so deposited same shall be deposited within next four weeks. In case of failure to so deposit the amount applicant will undergo the entire sentence.

21.6.2005